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BY HAND

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Jackson and Harris

Application No.: 09/388,090

Group Art Unit: 1641

Filed: August 31, 1999

Examiner: Devi, S.

For: *NEISSERIA SSP. POLYPEPTIDE,
NUCLEIC ACID SEQUENCE AND
USES THEREOF*

Attorney Docket No.: 7969-082-999

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Assistant Commissioner for Patents

Washington D.C. 20231

Sir:

In accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 to inform the Patent and Trademark Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of any claim of the application, Attorneys for Applicants hereby direct the Examiner's attention to the reference AI listed on the attached revised PTO-1449 Form.

Identification of the listed reference is not to be construed an admission of Applicants or Attorneys for Applicants that such reference is available as "prior art" against the subject application. Consequently, Applicants respectfully decline to use form PTO-1449, since this form identifies all of the references cited therein as "Prior Art." As an alternative, Applicants submit herewith a "revised form PTO 1449" entitled "List of References Cited" instead of "List of Prior Art Cited."

Applicants respectfully request that the Examiner review the foregoing reference and that the reference be made of record in the file history of the application. No fee is believed due in connection herewith. However, should the Patent and Trademark Office determine otherwise, please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150; a duplicate of this sheet is enclosed.

Respectfully submitted,

Date May 3, 2002

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